

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

WALTER THIEMANN,
Plaintiff

vs

OHSL FINANCIAL, et. al.,
Defendants

Case No. C-1-00-793
(Beckwith, J.)
(Hogan, M.J.)

ORDER

This matter came before the Court for an informal discovery conference pursuant to S.D. Ohio Civ. R. 37.1.

The primary issue raised at this conference was the continued deposition of Mr. Brinker, a former OHSL Director and a person of advanced age who is recovering from a stroke. On February 5, 2004, Plaintiffs' counsel took the videotaped deposition of Mr. Brinker in this Court's chambers and in the Court's presence. The purpose of the deposition was to explore topics made relevant by the Plaintiffs' Amended Complaint and not to use the second deposition as a technique for impeaching testimony elicited during the first deposition. However, having observed the second deposition of Mr. Brinker and having reviewed Mr. Brinker's previous 800 page deposition, it is apparent to the Court that the latter deposition elicited nothing further than what was previously elicited in Mr. Brinker's first deposition. **IT IS THEREFORE ORDERED THAT** there shall be no further deposition of Mr. Brinker.

SO ORDERED.

Date: 3/5/04

s/Timothy S. Hogan
Timothy S. Hogan
United States Magistrate Judge